

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

5

U.S.C.A. #

U.S.D.C. #

08-cv-1153

JUDGE:

KMW

DATE:

MAR. 17 2008

Poulin

-v-

NYC-DHS-ICE

INDEX TO THE RECORD ON APPEAL

MAR 17 2008

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

ADDRESS:

500 PEARL STREET, ROOM 370

NEW YORK, NEW YORK 10007

PHONE NO.:

(212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(X) Original Record

( ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 17th Day of March, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----  
*Paulino*  
 -----  
 -v-  
 NYC-DHS-ICE  
 -----

U.S.C.A. # \_\_\_\_\_  
 U.S.D.C. # 08-cv-1153  
 JUDGE: KMW  
 DATE: MAR. 17, 2008

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 4, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 17th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

*[Signature]*  
 Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-01153-KMW**  
**Internal Use Only**

Paulino v. NYC-DHS-ICE  
Assigned to: Judge Kimba M. Wood  
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 02/05/2008  
Date Terminated: 02/05/2008  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus (General)  
Jurisdiction: U.S. Government Defendant

Date Filed	Docket Text
02/05/2008	<u>1</u> PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2241. (Filing Fee \$ 350.00, Receipt Number 636897). Document filed by Josiana Paulino.(mbe) (Entered: 02/14/2008)
02/05/2008	Magistrate Judge Henry B. Pitman is so designated. (mbe) (Entered: 02/14/2008)
02/05/2008	<u>2</u> ORDER OF DISMISSAL, Petitioner brings this petition for a writ of habeas corpus under 28 U.S.C. 2241. The petitioner paid the filing fee in this action, and the Clerk of Court is directed to assign a docket number to this action. The Court dismisses this petition for the following reasons. Because petitioner does not allege that her petition is timely, and because it was not pending on May 11, 2005, the date that Congress enacted the REAL ID Act, this court is not authorized to transfer it to the Second Circuit, and it must be dismissed. Accordingly, the application is dismissed. As petitioner has not made a substantial showing of the denial of a constitutional right, the Court declines to issue a certificate of appeal ability. 28 U.S.C.2253. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 2/5/2008) (mbe) (Entered: 02/14/2008)
02/05/2008	<u>3</u> JUDGMENT. Ordered, Adjudged and Decreed: That the petition is hereby dismissed as petitioner has not made a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appeal ability. The Court certifies pursuant to 28 U.S.C. 1915(a) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 2/5/2008) (mbe) (Entered: 02/14/2008)
02/21/2008	<u>4</u> NOTICE OF APPEAL from <u>2</u> Order Dismissing Complaint (I.F.P.), <u>3</u> Judgment - Sua Sponte (Petition). Document filed by Josiana Paulino. (tp) (Entered: 03/17/2008)
02/21/2008	Appeal Remark as to <u>4</u> Notice of Appeal filed by Josiana Paulino. \$455.00 APPEAL FEE DUE. IFP REVOKED 2/5/08. COA DENIED 2/5/08. (tp) (Entered: 03/17/2008)
03/17/2008	Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>4</u> Notice of Appeal. (tp) (Entered: 03/17/2008)
03/17/2008	Transmission of Notice of Appeal to the District Judge re: <u>4</u> Notice of Appeal. (tp) (Entered: 03/17/2008)